



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,730	01/26/2004	Norbert Miller	SWR0124US	1107
23413 7590 09/18/2009 CANTOR COLBURN, LLP 20 Church Street 22nd Floor Hartford, CT 06103				
EXAMINER				
JOHNS, CHRISTOPHER C				
ART UNIT		PAPER NUMBER		
3621				
NOTIFICATION DATE		DELIVERY MODE		
09/18/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptopatentmail@cantorcolburn.com

### Office Action Summary

**Application No.**

10/765,730

**Applicant(s)**

MILLER ET AL.

**Examiner**

Christopher C. Johns

**Art Unit**

3621

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 May 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 2, 5 and 6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5 and 6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

**DETAILED ACTION**

***Acknowledgements***

1. This Office Action is given Paper No. 20090905 for reference purposes only.
2. This Office Action is in response to the Response to Non-Final Office Action, filed 26 May 2009.
3. All references to the capitalized version of "Applicant(s)" refer specifically to the Applicants of record in the instant application. Any references to lowercase versions of "applicant" or "applicants" refer to any or all patent applicants. Unless expressly noted otherwise, references to the capitalized version of "Examiner" refers to the Examiner of record while reference to or use of the lower case version of "examiner" or "examiners" refers to examiner(s) generally. The notations in this paragraph apply to any future Office actions from this Examiner.
4. Claims 1, 2, 5, and 6 are pending.
5. Claims 1, 2, 5, and 6 have been examined.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1, 2, 5, and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

8. Independent claim 1 recites “or the like”. The phrase “or the like” renders the claims indefinite because the claims includes elements not actually disclosed (those encompassed by “or the like”), thereby rendering the scope of the claims unascertainable. See MPEP § 2173.05(d).

9. Claims 2, 5, and 6 are indefinite based on at least their dependency upon independent claim 1.

10. The Examiner finds that because the claims are indefinite under 35 U.S.C. §112, 2<sup>nd</sup> paragraph, it is impossible to properly construe claim scope at this time. However, in accordance with MPEP §2173.06 and the USPTO’s policy of trying to advance prosecution by providing art rejections even though claims may be indefinite, the claims are construed and the prior art is applied as much as practically possible.

### ***Claim Objections***

11. Claim 1 is objected to because of at least the following informality: line 10 contains a period (‘.’) which would appear to denote that the sentence is ending. Claims must be written as one sentence, with a period only at the end - MPEP §608.01(m). Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 1, 2, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent Application Publication 2003/0131239 (“Greene”) in view of United States Patent Application Publication 2001/0006556 (“Graves”) further in view of Official Notice.

14. As per claim 1, Greene discloses:

15. feeding the document to a verification unit by means of an input unit, wherein the verification unit is provided for authenticating the document (figure 6, reference 300);

16. authenticating the document (figure 2);

17. determining a probability of authenticity of the document (Abstract, “verification one-way hash is then compared to the appended one way hash and the authenticity of the document is verified based on the results of the comparison”);

18. accepting the document as positively authenticated with the probability meets predetermined criteria (Abstract, “verification one-way hash is then compared to the appended one way hash and the authenticity of the document is verified based on the results of the comparison”);

19. providing visual verification to an operator when the probability does not meet the predetermined criteria and the document is negatively authenticated, recording the document as an image and presenting the image to the operator, accepting the document when the document

passes the visual verification, refusing acceptance when the document does not pass the visual verification (§56 - “display device 400 may be a monitor that is capable of displaying an electronic version of the resulting document image for viewing or displaying any other intermediary steps of the document authentication and verification process”).

20. Greene discloses as above, but does not explicitly disclose:
21. said authenticating the document is performed with a combination of at least two different verification methods;
22. comparing the at least two verification methods with verification specifications.
23. Graves teaches:
24. said authenticating the document is performed with a combination of at least two different verification methods (figure 2a, reference 38, 40);
25. comparing the at least two verification methods with verification specifications (figure 2a, reference 38, 40).
26. Graves teaches these multiple verification methods in order to create a more secure system. A person having ordinary skill in the art would understand that, by using two verification methods, the probability of passing a fake bill as a real bill would be reduced compared to using only one verification method.
27. Therefore, it would have been obvious to a person having ordinary skill in the art to include in Greene the multiple verification methods as taught by Graves, since the claimed invention is merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately. A person having ordinary skill in

the art would have recognized that the results of the combination were predictable, as well as advantageous because it would create a more secure system that would not be as able to be tricked into accepting fake documents.

28. Greene in view of Graves discloses as above, but does not explicitly disclose:

29. providing a sales machine which allows a customer to purchase goods and/or services against payment by providing a document as cash in the form of banknotes, vouchers, or the like.

30. The Examiner takes Official Notice that providing a sales machine which allows a customer to purchase goods was old and well-known in the art because it creates a system by which users may exchange money for goods. Providing a system by which users may give money would benefit by currency evaluation systems because it would create a more secure system, whereby merchants would not accept falsified documents. This would create a more profitable system for merchants.

31. Therefore, it would have been obvious to a person having ordinary skill in the art to include a cash register in the system of Graves and Greene, since the claimed invention is merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately. A person having ordinary skill in the art would have recognized that the results of the combination were predictable, as well as advantageous because it would allow merchants to receive only real currency, and avoid taking fake money from customers.

32. As per claims 2, 5, and 6, Greene in view of Graves discloses as above, and further discloses:

33. two verification methods are selected from the group comprising size verification, magnetic verification (Graves, ¶5 - "currency discrimination is based on the comparison of sensed optical or magnetic characteristics"), image verification, infrared verification, UV verification (Graves, ¶6 - "UV or visible light..."), and visual verification (Graves, ¶6 - "visible light reflectance");

34. visual verification method is performed only on documents of a desired value (only currency is scanned using the system in Graves - see Abstract as well as ¶2 - as such, documents that are not currency (and have no value) will not be scanned or verified);

35. visual verification method is performed via a direct visual authentication of the document (figure 6a, reference 98 - "scanned intensity"; figure 5a, reference s1, s2, s3, s63, s64).

### ***Response to Arguments***

36. Applicants' arguments with respect to the claims have been considered but are moot in view of the new grounds of rejection. They argue limitations that were not previously in the claims – as they have been fully addressed in this Office Action, the arguments are overcome.

### ***Conclusion***

37. Applicants' amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



38. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

39. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher C. Johns whose telephone number is (571)270-3462. The examiner can normally be reached on Monday - Friday, 9 am to 5 pm.

40. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

41. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher C Johns/  
Examiner, Art Unit 3621

/EVENS J. AUGUSTIN/  
Primary Examiner, Art Unit 3621